

To Dallas Ball

2009.317-T

219519

Public Service Commission of South Carolina  
Columbia, South Carolina

## NOTICE OF FILING

BRIEF DESCRIPTION OF THE PLEADING (*Relief the Company is Seeking from the Commission*)  
Petition for Rule to Show Cause as to why Defendants Ard's Airport Shuttle Service and Best Way Shuttle Service should not have their Class C Certificates revoked.

As for Best Way Limousine Service,  
ARD AIRPORT Limousine Service can only  
declare that the company is in  
complete compliance to all rules and  
reg. that govern 15 pass limousines,  
the have a class C Certificates.

STATUTORY OR OTHER LEGAL AUTHORITY UNDER WHICH PLEADING IS FILED:

SC Code of Regulations § 103-102 (6), and § 103-240

Please review  
the following, and state whether violating  
AALE is in violation of  
Exhibit (A)

IF THE PLEADING IS A RATE CASE AFFECTING THE GENERAL BODY OF SUBSCRIBERS, LIST ALL  
CURRENT AND PROPOSED RATES AND ANY OTHER CHANGES TO THE COMPANY'S TARIFF CURRENTLY  
ON FILE WITH THE COMMISSION:

Rates have change according  
to PSC Reg. Manage had delivered  
to DKS. Carol received it.  
It went from 20.00 to 125.00 hr  
Min of 1 hr. mile

Dallas J. Ball  
[Signature of Authorized Representative]

23 July '09  
[Date]

RECEIVED

JUL 23 2009

PSC SC

DOCKETING DEPT.

**NOTICE AND DEMAND**

October 5, 2009

**RE: ARD'S AIRPORT SHUTTLE/LIMOUSINE SERVICE  
13 YASHICA CT W. COLUMBIA, SC 29172**

Due to Thomas and Barbara Ard(wife) severe illnesses that have effected them to the point where we have been unable to meet the dead for a response for the following complaint issued by Dallas Ball, P.C Attorney at Law. Health issues and age have slow us down and now are capable to respond in a proper fashion.

The response to the complaint will follow this fax of declaration of facts.

  
Thomas C. Ard, Damaged Party

cc. Dallas Ball D.B.A attorney at law  
Charles L.A Terreni Public Service Commission  
ORS Transportation L.GeorgeParker Manager

EXHIBIT (A)

As used herein, the following terms shall be accorded meaning as indicated:

1. **Certificated Carrier.** "Certificated Carrier" means a motor carrier operating under a Certificate of PC&N, a Certificate of FWA, or a Charter Bus Certificate.
2. **Certificate of FWA.** "Certificate of FWA" means the certificate of fit, willing, and able authorized to be issued under provisions of Chapter 23 of Title 58 of the Code of Laws of South Carolina, 1976. Certificates of FWA shall be required of all for-hire household goods carriers operating exclusively within limits of any municipality in this State. Holders of Certificates of FWA shall be considered regulated carriers.
3. **Certificate of PC&N.** "Certificate of PC&N" means the certificate of public convenience and necessity authorized to be issued under the provisions of Chapter 23 of Title 58 of the Code of Laws of South Carolina, 1976. Certificates of PC&N shall be required of all for-hire passenger carriers, household good carriers (except those operating exclusively within the limits of any municipality), and hazardous waste for disposal carriers. Holders of Certificates of PC&N shall be considered regulated carriers.
4. **Charter Bus Certificate.** A "Charter Bus Certificate" is a certificate issued to charter bus motor carriers which signifies that the motor carrier has met all of the insurance requirements of the commission, and all of the safety requirements of the South Carolina Department of Public Safety. A Charter Bus Certificate shall be denominated "Class C-Charter Bus."
5. **Charter Bus.** "Charter Bus" means a motor vehicle carrying 16 or more passengers. However, a limousine shall not be considered to be a charter bus.
6. **Class C Charter Certificate.** "Class C Charter Certificate" is a Class C certificate required to be held by service providers engaged in passenger for hire transportation using any motor vehicle equipped to carry up to fifteen (15) passengers and accepting passengers exclusively on a pre-arranged basis and which remuneration is determined on an hourly basis. A Class C Charter Certificate shall be denominated "Class C - Charter."
7. **Class C Taxi Certificate.** "Class C Taxi Certificate" is a Class C certificate required to be held by service providers engaged in passenger for hire transportation using any motor vehicle equipped to carry up to fifteen (15) passengers, whether or not equipped to handle wheelchairs, which operates on call or demand/response service whereby remuneration is determined on a per trip basis. The issuance of a Taxi certificate signifies that the motor carrier has met all of the requirements of the commission and all of the safety requirements of the Department of Public Safety. A Class C Taxi Certificate shall be denominated "Class C - Taxi."
8. **Commission.** "Commission" means the Public Service Commission of South Carolina.
9. **Common Carrier by Motor Vehicle.** "Common Carrier by Motor Vehicle" means any person which holds itself out to the general public to engage in the transportation by motor vehicle in intrastate commerce of persons or property for compensation, whether over regular or irregular routes, except as exempted in Section 58-23-50 and Section 58-23-70 of Code of Laws of South Carolina, 1976.
10. **Contract Carrier by Motor Vehicle.** "Contract Carrier by Motor Vehicle" means any person which engages in transportation by motor vehicle of property in intrastate commerce for compensation under contracts with one person or a limited number of persons either (a) for the furnishing of transportation service through the assignment of

motor vehicles to the exclusive use of each person served, or (b) for the furnishing of transportation services designed to meet the distinct need of each individual customer.

**11. Corporation.** "Corporation" means a corporation, company, association, or joint stock association.

**12. Driver.** "Driver" or "Operator" shall mean any person who physically operates a licensed taxi, limousine, non-emergency vehicle or wheelchair van as defined herein, whether such person operates as agent, lessee, independent contractor or employee of any certificated carrier.

**13. Interstate Commerce.** "Interstate Commerce" means commerce between any place in a state and any place in another state.

**14. Intrastate Commerce.** "Intrastate Commerce" means commerce between points and over a route or within a territory wholly within this State, which commerce is not a part of a prior or subsequent movement to or from points outside of this State in interstate or foreign commerce, and includes all transportation within this State for compensation which has been exempted by Congress from federal regulation in interstate or foreign commerce.

**15. Limousine.** A "Limousine" shall mean any motor vehicle equipped to carry up to fifteen (15) passengers which exclusively engages in "Class C Charter" operations. Limousines shall be required to obtain a Class C - Charter certificate.

**16. Motor Carrier.** "Motor Carrier" means both a common carrier by motor vehicle and a contract carrier by motor vehicle.

**17. Motor Vehicle Carrier Law.** "Motor Vehicle Carrier Law" means Articles 1 to 11 and 15 of Chapter 23 of Title 58 of the Code of Laws of South Carolina, 1976.

**18. Motor Vehicle.** "Motor Vehicle" means any vehicle, machine, tractor, semi-trailer, or any combination thereof, which is propelled or drawn by mechanical power and used upon the highways of this State.

**15. Limousine.** A "Limousine" shall mean any motor vehicle equipped to carry up to fifteen (15) passengers which exclusively engages in "Class C Charter" operations. Limousines shall be required to obtain a Class C - Charter certificate.

**13. Interstate Commerce.** "Interstate Commerce" means commerce between any place in a state and any place in another state.

**16. Motor Carrier.** "Motor Carrier" means both a common carrier by motor vehicle and a contract carrier by motor vehicle.

**19. Municipality.** "Municipality" means any incorporated city or town within the State of South Carolina

**21. ORS.** The "ORS" means the South Carolina Office of Regulatory Staff.

**22. Person.** "Person" means any individual, firm, partnership, corporation, company, association, or joint-stock association, and includes any trustee, receiver, assignee, or personal representative thereof.

**23. Public Highway.** "Public Highway" means every improved public highway in this State which is or may hereafter be declared to be a part of the state highway system or any county highway system or a street of any city or town.

**24. Rates.** "Rates" include rates, fares, tolls, rentals and charges.

25. **State.** "State" means the State of South Carolina.

26. **STB.** "STB" means Surface Transportation Board.

27. **Tariff.** "Tariff" means any schedule or publication showing the rates, fares, charges, rules, regulations, and classifications for the transportation within this State of persons and property.

28. **Taxi.** A "Taxi" or "Taxi Cab" means a passenger carrier vehicle capable of carrying between one and fifteen passengers, the use or transportation in which is paid for or billed to the passengers on a per trip basis.

29. **Wheelchair Van Patient.** "Wheelchair Van Patient" means a patient whose medical condition is such that the person may be transported safely and securely in a Wheelchair Van. These patients must be transported in a sitting position in a secured wheelchair and/or require a ramp or lift to board the vehicle.

30. **Wheelchair Van.** "Wheelchair Van" means a Non-Emergency Vehicle other than a taxi cab which is modified, equipped and used for the purpose of providing non-emergency medical transportation for Wheelchair Van Patients. These vehicles are specifically designed and modified to load and transport both ambulatory and wheelchair-bound patients in a safe and secure manner.

**103-103. Regulated Carriers Must Maintain Copy of Motor Vehicle Carrier Law and Commission's Rules and Regulations.**

Every motor carrier regulated by the commission shall keep at all times in its principal office in South Carolina a copy of these rules and regulations. Access to these rules and regulations via the internet or through other electronic means at the carrier's principal office shall be deemed sufficient to meet the requirements of this regulation.